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SH 2220365 / FO 2255906

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: May 13, 2008	Bureau/Station/Facility: Walnut Station	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 008-04166-2999-013	Date: May 13, 2998	Time: 0210 hours

City or Station: Covina

Location: Rear alley of [redacted] South First Avenue

Nature of Incident: Deputies Mah and Winter assisted CHP in the detention of two felony suspects. As the CHP officers and deputies approached the suspects' vehicle, the suspects rammed the CHP vehicle. The deputies took cover behind a near by vehicle. The suspects then rammed the vehicle that was providing coverage for the deputies. The force push the deputies to the ground and the suspects again rammed the vehicle. The deputies feared for their lives and fired at the driver.

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: Alley

Lighting (*circle only one*): Darkness, Daylight, **Other** — Street Lights

Weather (*circle only one*): Clear, **Cloudy**, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, Armed Person, **Fleeing Suspect**, Foot Pursuit, Gun Take Away, **Moving Vehicle**, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other:

Initiated by (*circle only one*): Arrest Warrant, **Call**, Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Aero Unit? ☒ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
23	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Deck	Lonnie	E.	**EM** PM Day	**Regular** Overtime Off Duty
[redacted]	Wolfhope	James	R.	**EM** PM Day	**Regular** Overtime Off Duty
[redacted]	Lindblom	Eric		**EM** PM Day	**Regular** Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		14039 Francisquito Avenue	Baldwin Park	91706	626-338-1164	
[redacted]	[redacted]		14039 Francisquito Avenue	Baldwin Park	91706	626-338-1164	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Estrada	Mario	F.	**On Duty**, Present during shooting, Witness to shooting, Involved in shooting
[redacted]	Mannion	Patrick	J.	**On Duty**, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Taller	Les	NMN

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Jester	Ronald	E.

PSTD Use Only

SH # ____________

Officer Involved Shooting

URN: 008-04166-2999-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
May 13, 2008	0400 hrs	May 15, 2008	

Employee #	Last Name	First Name	M.I
	Hill	Scott	G.
	Ramirez	Jack	H.
	Chevalier	Irma	T.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PH					NN	
E#1	S#1	FL					NN	
S#2	E#2	PK					NN	
E#2	S#2	FL					AB	LE
S#1 / S#2	E#2	OV					CP	BK
E#1	S#1 / S#2	FH	HK	45	Y	Y	DH	BK
E#2	S#1 / S#2	FH	BR	9	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 008-04166-2999-013

Involved Employee

E 1

Employee #	Last Name	First Name	M.I.
[redacted]	Winter	Steven	A.

Sex: M	Race: White	Rank: Deputy	Unit Assignment: Walnut Station	Work Assignment (Unit #, Module, etc.): 292K1

Field	Value
ShiftTime (*circle only one*): EM PM Day	EM (circled)
ShiftType (*circle only one*): Regular Overtime Off Duty	Regular (circled)
Intoxication/Drug Usage?	☐
Substance Used:	N/A
Hospital Admission?	☐
Hospital Name:	
Coroner Case?	☒
Coroner Case #	2008-03548
Interviewed?	☒
Hrs of sleep prior to shooting:	6 Hours
Duty Time (hrs):	[redacted]
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Uniform w/ Vest (circled)
Other Factors:	
Age:	[redacted]
Height:	509
Weight:	165
Range Qualification Date:	[redacted]
PPC Qualification Date:	[redacted]
Laser Training Date:	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit:	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings:	[redacted]
Directed Force:	[redacted]

Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand:	Caliber	# Shots
H&K	.45	3			

Field Training Officer Emp #	Last Name	First Name	M.I.
	[redacted]	[redacted]	

E 2

Employee #	Last Name	First Name	M.I.
[redacted]	Mah	Calvin	

Sex: M	Race: Asian	Rank: Deputy	Unit Assignment: Walnut Station	Work Assignment (Unit #, Module, etc.): 292K1

Field	Value
ShiftTime (*circle only one*): EM PM Day	EM (circled)
ShiftType (*circle only one*): Regular Overtime Off Duty	Regular (circled)
Intoxication/Drug Usage?	☐
Substance Used:	
Hospital Admission?	☐
Hospital Name:	
Coroner Case?	☒
Coroner Case #	2008-03548
Interviewed?	☒
Hrs of sleep prior to shooting:	8 Hours
Duty Time (hrs):	[redacted]
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Uniform w/ Vest (circled)
Other Factors:	
Age:	[redacted]
Height:	509
Weight:	180
Range Qualification Date:	[redacted]
PPC Qualification Date:	[redacted]
Laser Training Date:	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit:	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings:	[redacted]
Directed Force:	[redacted]

Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand:	Caliber	# Shots
Beretta	.9MM	13			

Field Training Officer Emp #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]

E ___

Employee #	Last Name	First Name	M.I.

Sex:	Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):

Field	Value
ShiftTime (*circle only one*): EM PM Day	
ShiftType (*circle only one*): Regular Overtime Off Duty	
Intoxication/Drug Usage?	☐
Substance Used:	
Hospital Admission?	☐
Hospital Name:	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting:	
Duty Time (hrs):	
Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	
Other Factors:	
Age:	
Height:	
Weight:	
Range Qualification Date:	
PPC Qualification Date:	
Laser Training Date:	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit:	
Prior Shootings?	☐
Number of Prior Shootings:	
Directed Force:	☐

Weapons Fired Brand:	Caliber	# Shots	Weapons Fired Brand:	Caliber	# Shots

Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 008-04166-2999-013

Suspect Information

S 1

Field	Value
Last Name	Rose
First Name	Glenn
M.I.	P.
AKA Last Name	
First Name	
M.I.	
Sex	M
Race	H
Street Address	[redacted]
City	[redacted]
State & Zip Code	[redacted]
Work Phone	
Home Phone	
Social Security #	[redacted]
Driver's License #	[redacted]
Age	26
D.O.B.	11-14-82
Height	601
Weight	235
FBI #	[redacted]
CII #	[redacted]
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☒
Coroner Case #	2008-03548
Intoxication/Drug Usage?	☒
Substance Used	Methamphetamine
Armed?	☐
Apprehended?	☒
Mental Illness?	☐
Criminal History?	[redacted]
Vehicle Make	Chevrolet
Model	1500
Year	1989

S 2

Field	Value
Last Name	Morales
First Name	Sarah
M.I.	R.
AKA Last Name	
First Name	
M.I.	
Sex	F
Race	Hispanic
Street Address	[redacted]
City	[redacted]
State & Zip Code	[redacted]
Work Phone	
Home Phone	
Social Security #	[redacted]
Driver's License #	[redacted]
Age	25
D.O.B.	10-11-83
Height	505
Weight	135
FBI #	[redacted]
CII #	[redacted]
Booking #	1470554
Primary Charge	245 (c) P.C.
Secondary Charge	10851 (a) V.C.
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☒
Mental Illness?	☐
Criminal History?	[redacted]
Vehicle Make	Chevrolet
Model	1500
Year	1989

S __

Field	Value
Last Name	
First Name	
M.I.	
AKA Last Name	
First Name	
M.I.	
Sex	
Race	
Street Address	
City	
State & Zip Code	
Work Phone	
Home Phone	
Social Security #	
Driver's License #	
Age	
D.O.B.	
Height	
Weight	
FBI #	
CII #	
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☐
Mental Illness?	☐
Criminal History?	☐
Vehicle Make	
Model	
Year	

S __

Field	Value
Last Name	
First Name	
M.I.	
AKA Last Name	
First Name	
M.I.	
Sex	
Race	
Street Address	
City	
State & Zip Code	
Work Phone	
Home Phone	
Social Security #	
Driver's License #	
Age	
D.O.B.	
Height	
Weight	
FBI #	
CII #	
Booking #	
Primary Charge	
Secondary Charge	
Coroner Case?	☐
Coroner Case #	
Intoxication/Drug Usage?	☐
Substance Used	
Armed?	☐
Apprehended?	☐
Mental Illness?	☐
Criminal History?	☐
Vehicle Make	
Model	
Year	

See Other Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

HIT SHOOTING
SUMMARY

UNIT: Walnut Station
DATE: May 13, 2008
TIME: 0207 hours
LOCATION: Rear Alley of [redacted] South First Avenue, Covina, CA
URN#: 008-04166-2999-013
IAB#: SH2220365

NATURE OF INCIDENT:

On May 13, 2008, Deputies Salvatore Guerrero, # [redacted] and Luis Flores, # [redacted] assigned to Walnut Sheriff's Station, responded to a call of a vehicle theft which had just occurred at a residence on Heidelberg Avenue, Walnut. A white Honda Accord, Ca. License plate # [redacted] was stolen from the location approximately ten minutes prior to the call. (The car was reported stolen under Sheriff's file #608-04167-2911-091). Another Walnut Station deputy, Deputy Mojarro, # [redacted] spotted the stolen vehicle and followed the vehicle while waiting for assisting units.

The vehicle attempted to evade the patrol cars, and deputies initiated a vehicle pursuit. The stolen vehicle entered the 60 freeway and continued onto the 57 and the 10 freeways. Once the vehicle entered the freeway, the California Highway Patrol took over the pursuit. A Sheriff's Air Unit was flying overhead and assisted in the pursuit. Sheriff's units continued to follow the pursuit to assist the lone California Highway Patrol unit.

The stolen vehicle exited the freeway and drove into the alley between Puente Street and Dexter Street, west of Barranca Avenue, in the city of Covina. Officers then became engaged in a fight with the occupants of the stolen vehicle as they tried to enter another stolen vehicle, a burgundy Chevrolet truck, CA license plate # [redacted] (This truck was stolen on May 12, 2008, between 1900 and 1925 hours, and reported to the Baldwin Park police Department under file #08-15260).

One CHP officer and one deputy ran to each side of the truck and attempted to remove the suspects (later identified as Glenn Patrick Rose and Sarah Morales) from

the truck. Both suspects physically resisted the deputies and tried to get in the truck and close the doors, and Suspect Rose attempted to start the truck. Due to their resistive behavior, both suspects were Tased by the CHP officers, but the Taser had little or no effect. Suspect Rose was able to start the truck and sped out of the parking space at a high rate of speed. The truck crashed into three patrol cars in the alley and deputies and officers fired upon the truck as the truck drove in their direction.

The driver of the truck, Suspect Glenn Rose, was removed from the truck and found to have suffered a gunshot wound. Suspect Rose was pronounced dead at the scene by Los Angeles County paramedics at 0220 hours. The passenger of the truck, Suspect Sarah Morales, was taken into custody. She was transported to San Dimas Hospital where she was treated for minor injuries and transported to Walnut Station.

On December 2, 2008, Deputy District Attorney Shannon Presby issued a Letter of Opinion regarding the deputy involved shooting incident. In his review of the shooting, D.D.A. Presby deemed Deputies Calvin Mah and Steven Winter, and Officer acted lawfully in self-defense and the defense of others.

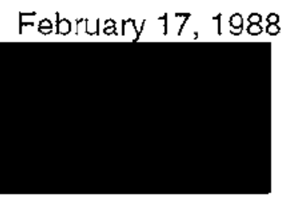
The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

WINTER, Steven, Deputy Sheriff, #
Walnut Station, Field Operations Region III

EMPLOYEE WORK HISTORY:

Date of Employment: February 17, 1988
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:



MAH, Calvin, Deputy Sheriff, #
Walnut Station, Field Operations Region III

EMPLOYEE WORK HISTORY:

Date of Employment: July 15, 1996
Date assigned to Patrol:

Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT:

ROSE, Glenn Patrick, MW/26 yrs. DOB: 11-14-1982, 601, 235 lbs., brown/brown

Deceased, CII: FBI:

Subject Rose's

Refer to Exhibit A, pages 122 thru 140 for Suspect Rose's Criminal History.

MORALES, Sarah Rebecca Olivia, FH25 yrs. DOB: 10-11-1983, 505, 145 lbs., brown/brown

CII: FBI:

Subject Morales'

Refer to Exhibit A, pages 141 thru 153 of the Homicide Book for Suspect Morales' Criminal History.

DEPUTY WITNESSES:

1. **Deck, Lonnie,** Deputy Sheriff, Employee #
   Aero Bureau
   Field Operations II

2. **Wolfhope, James,** Deputy Sheriff, Employee #
   Aero Bureau
   Field Operations II

3. **Lindblom, Eric,** Sergeant, Employee #
   Special Enforcement Bureau
   Office of Homeland Security

NON-DEPARTMENT WITNESSES:

1. **CHP Officer, [redacted]**

2. **CHP Officer, [redacted]**

INJURIES:

Suspect's:

Subject Rose sustained a fatal gunshot wound to his chest. He was pronounced dead at the scene by Los Angeles County paramedics at 0220 hours.

Suspect Sarah Morales was transported to San Dimas Hospital where she was treated for her injuries by Dr. Nadine Konia. She was treated for a 6" laceration to her left knee. She was also treated for abrasions to her right wrist and on top of her forehead. She was approved for booking by Dr. Konia and transported to the Walnut Sheriff's Station.

Deputy Personnel:

Deputy Calvin Mah complained of pain coming from his right hip and lower back.

WEATHER AND LIGHTING CONDITIONS:

This incident occurred during evening hours. The weather was cool.

WEAPONS USED BY SUSPECT'S:

Vehicle, personal weapons, hands, feet.

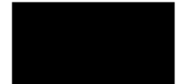
WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Steven Winter
Service Weapon- Heckler & Koch, USP Compact, 45 Auto caliber (Serial Number [redacted] [redacted]), Double Action Semiautomatic Pistol,
Type Of Ammunition- 45 Auto caliber ammunition.
Ammunition- Three rounds fired and ten left in the magazine.
Shell Casings- Three 45 Auto caliber shell casings were located at the scene.

Date Employee Last Qualified: (Mobile Range):
Date Last Trained With Weapon:



Deputy Calvin Mah
Service Weapon-Beretta, 92F (Serial Number E Z), Double Action Semiautomatic Pistol, 9mm luger
Type Of Ammunition- Winchester Range SXT 9mm Luger Ammunition.
Ammunition- Thirteen rounds fired and three left in the magazine.
Shell Casings- Thirteen 9mm caliber shell casings were located at the scene.
Date Employee Last Qualified: (Mobile Range):
Date Last Trained With Weapon:



All weapons were examined, test fired, and found to be functional by Firearms Examiner David Kim # **Lab Receipt Number's J989442, J989443, & J989444,** Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (**Refer to Exhibit A, Pages 110 thru 114 of Homicide Book).**

INVOLVED DEPUTY (S) STATEMENTS:

Deputy Steven Winter, Employee # was interviewed by Homicide Investigators Howard Cooper and Donna Cheek on May 13, 2008. Sergeants Jack Ramirez and Al Maldonado of Internal Affairs Bureau interviewed him on April 8, 2009. The following summary is of both interviews.

Deputy Winter said on May 13,2008, he was working EM's Unit 292T1. He said while on patrol, he heard a Walnut unit receive a call of vehicle theft that had just occurred. The stolen vehicle was described as a White Honda Accord. He said the handling unit requested that he check the surrounding area for the stolen vehicle.

He said a short time later, he heard Deputy Mojarro advise that he was following the stolen Honda east on Amar Road toward Grand Avenue. Deputy Winter said he was only a short distance away and immediately responded to Deputy Mojarro's location. Deputy Winter said he caught up with Deputy Mojarro as he followed the stolen Honda north on Grand Avenue from Amar Road. He said as the suspects entered the intersection of San Jose Hills Road and Grand Avenue, they made a sudden u-turn and began driving south on Grand Avenue. He said when this occurred, the suspects accelerated to approximately 50 miles an hour in a very short distance. He said it was apparent that the suspects were attempting to flee from them.

He said at this point, he noticed Air 22 overhead. He said he was positioned directly

behind Deputy Mojarro and there was a Sergeant's vehicle behind his vehicle. Deputy Winter said the suspects vehicle proceeded to pick-up speed as it traveled south on Grand Avenue. He said he remained at a constant speed of 60 miles per hour. He said at one point he lost sight of the suspect vehicle and was only aware of its location and direction of travel by the information provided by Air 22, who stayed directly over the suspects vehicle.

Deputy Winter said as the suspects neared the 60 freeway on Grand Avenue, Air 22 advised the suspects collided into the median as they entered the eastbound 60 freeway. He said the Honda sustained damage as a result of the collision, and continued east on the 60 freeway at greatly reduced speeds.

Deputy Winter said he caught up with the suspect vehicle on the eastbound 60 freeway. He said he stayed with the vehicle while it merged onto the northbound 57 freeway. He said Air 22 illuminated the suspect vehicle with it's spotlight the entire time. He said while on the freeway, he and Deputy Mojarro activated their overhead emergency lights. He said he also activated his vehicle's siren.

He said as the suspects continued north on the 57 freeway, they merged onto the westbound 10 freeway. He said shortly after entering the westbound 10 freeway, a single California Highway Patrol unit pulled in behind the suspect vehicle and then became the primary unit in the pursuit. Deputy Winter said when the California Highway Patrol unit became the primary unit in the pursuit, he and other Sheriff's units in the pursuit, turned off their vehicles overhead lights and sirens and positioned themselves three abreast across the lanes of traffic. He said this was done to prevent any vehicles from inadvertently driving up alongside the suspects or the pursuing California Highway Patrol unit.

Deputy Winter said the suspects exited the freeway at Barranca Avenue and continued north to a residential area. He said at this time they turned west on a surface street then south on another street where they turned west in a small alley. He said as the suspect vehicle neared the west end of the alley, it came to an abrupt stop. He said he saw two suspects exit the white Honda and run south across the alley. He said the two officers in the California Highway Patrol unit also exited their vehicle and gave chase.

Deputy Winter said he exited his vehicle and ran up to the passenger's side of the suspect vehicle to ensure there were no additional suspects hiding inside. He said after clearing the vehicle, he noticed both officers were struggling with the suspects, who had entered a maroon full sized truck which was in a small parking lot just south of the alley.

Deputy Winter said as he ran to the driver's side of the parked truck, he holstered his weapon as he attempted to assist the officer (██████ who was struggling with the male suspect, who was now seated in the driver's seat, attempting to close the door. He said at the same time this was occurring, he saw Officer ██████ along with Deputy Mah, struggling to gain control of a female suspect who was in the front passenger's seat.

Deputy Winter said during the entire incident at the maroon truck, he and the other officers involved repeatedly ordered the suspects to stop fighting and to exit the truck. He said they refused to comply and continued to resist their efforts to arrest them. Deputy Winter said at one point during the fight, he saw both officers (██████ and ██████) deploy their Tasers. He said the Tasers had a minimal effect on Suspect Rose. He said when the Taser was activated, Suspect Rose struggled to fight off its effects. He said as soon as the electrical pulses stopped, Suspect Rose placed his hands beneath the steering column in an apparent effort to start the truck, while at the same time stomping on the gas pedal with his foot.

Deputy Winter said this same cycle occurred several times. He said he tried to prevent the suspect from starting the truck by swinging his flashlight at his hands as Suspect Rose continued to reach beneath the steering column. Deputy Winter said his efforts had little to no effect on Suspect Rose because the steering wheel was absorbing the majority of the blows.

Deputy Winter said the suspect was ultimately able to start the truck. He said immediately after starting the truck, the engine raced and the tires began squealing. Deputy Winter said he watched as Suspect Rose drove north out of the parking space and turned east in the alley. He said the truck was accelerating the entire time and collided into the driver's side of the California Highway Patrol unit, which was parked facing west in the alley. The impact knocked the unit out of the truck's path.

At this point, Deputy Winter said he repositioned himself in front of a small garage on the south side of the alley just east of the parking lot. He said from this position he watched the truck back up slightly then rapidly accelerate forward, tires spinning as it traveled directly toward the front of his patrol car. He said the truck smashed into the front of his patrol car, knocking it into Deputy Mah's patrol car which was parked directly behind his. He said the suspect's vehicle tires continued to spin until a large cloud of white smoke filled the alley.

Deputy Winter said he watched as officers (Mah and ██████), who had positioned themselves further east in the alley, began screaming at the suspects to stop. He said the suspects ignored their commands and without warning put the truck in reverse and began spinning the tires in reverse. Deputy Winter said the driver (Suspect Rose)

appeared to be out of control as the truck drifted from left to right as it continued to accelerate toward him in the alley. He said at one point, the truck turned directly towards him.

He said he attempted to get out of the path of the truck, but was unable to go anywhere because his movement was blocked by the garage and an adjacent fence post. Fearing he was about to be run over by the truck, he said he fired three rounds at the driver with his weapon. He said he was approximately ten feet away from the suspect during the shooting. He said he knew that his back drop was the a row of garages. He said the truck then changed direction slightly and continued west in the alley. He said Aero had illuminated the area during the entire incident. He said he could see the suspect through the passenger window. He said he was moving as he fired his weapon. Deputy Winter said he was southwest of Officer [redacted] and Deputy Mah's location when they fired their weapons, so there were no cross fire issues.

Deputy Winter said he watched as the suspect put the truck back into drive and raced in a southeasterly direction toward officer [redacted] and Deputy Mah who were taking cover behind a small green Honda which was parked along the south side of the alley. Deputy Winter said he saw the truck ram the parked vehicle. He said immediately after striking the car, he saw Officer [redacted] and Deputy Mah who were taking cover behind the green Honda, fall to the ground. He said he was not sure if they were knocked to the ground or dove to the ground, but said it looked like they went down like "bowling pins."

He said after Suspect Rose rammed the green Honda the suspects continued to accelerate, causing the tires to spin and fill the alley with more white smoke while pushing the green Honda in a southeasterly direction towards the officers on the opposite side of the parked car. He said at this point, Officer [redacted] and Deputy Mah stood behind the green Honda and fired several shots at the suspect's vehicle. He said he was not sure how many rounds had been fired because this was happening very quickly. He said when the gunfire stopped, the engine of the suspect's vehicle stopped revving.

Deputy Winter said at this point, several officers repeated their commands for the suspects to put their hands up and stop. He said the suspects ultimately complied and raised their hands while seated in the truck cab. Deputy Winter said assisting units took the driver into custody. He said Deputy Mah took Suspect Morales out of the passenger's window and took her into custody.

I.A.B. Note: Refer to Exhibit A, Pages 75 thru 79 of Homicide Book, for Homicide's Supplementary Report. Also see copies of interview transcriptions submitted with this case file.

Deputy Calvin Mah, Employee #[redacted] was interviewed by Homicide Investigators Howard Cooper and Donna Cheek on May 13, 2008. Sergeants Jack Ramirez and Al Maldonado of Internal Affairs Bureau interviewed him on April 8, 2009, at about 1026 hours. The following is a summary of both interviews.

Deputy Mah said on the night of the incident, he was working EM's, 292K1, which is a one man unit. He said he heard a call of a vehicle theft that had just occurred. He said the car was described as a white Honda Accord. He said he assigned himself the assist and proceeded to patrol in the area of west Amar Road. Deputy Mah said within minutes of searching for the stolen vehicle, he was advised by another assisting unit, Deputy Mojarro, that he was following the stolen vehicle near Amar Road. Deputy Mah said he caught up with Deputy Mojarro near the intersection of Amar Road and Grand Avenue. Deputy Mah said he followed behind Deputy Mojarro and the suspects in the white Honda north on Grand Avenue. He said the suspects suddenly made a quick u-turn and then began traveling south on Grand Avenue.

He said Deputy Mojarro attempted to affect a traffic stop in the area of Grand Avenue and Stoneybrook Drive. Deputy Mah said Deputy Mojarro activated his vehicle's overhead lights and siren but the suspects refused to yield and proceeded to accelerate rapidly south on Grand Avenue out of view. Deputy Mah said he and other units allowed the Aero unit overhead to monitor the suspect's location, while they maintained a safe speed and followed a safe distance back.

He said the Aero unit advised that the suspect vehicle had collided into the median at the Grand Avenue on-ramp to the eastbound 60 freeway. Deputy Mah said as a result of the collision, both passenger's side tires and rims were damaged. As the suspects entered the freeway, the Aero unit requested assistance from the California Highway Patrol. Deputy Mah said he continued to follow the suspects as they traveled from the eastbound 60 freeway to the northbound 57 freeway.

He said as the suspects continued north on the 57 freeway, they transitioned to the westbound 10 freeway. He said a this point, all units in the pursuit shut down their emergency lights and sirens and monitored the suspects in surveillance Mode. A short time later after entering the westbound 10 freeway, a single California Highway Patrol unit arrived and took over as the primary unit in the pursuit.

Deputy Mah said shortly after the California Highway Patrol unit arrived, all Sheriff's units were instructed to discontinue their involvement in the pursuit and to return to their assigned patrol areas. He said Aero advised Sheriff's dispatch that there was only one California Highway Patrol unit involved in the pursuit, and requested that two Walnut Station units remain with the pursuit pending the arrival of additional California

Highway Patrol personnel. Permission was granted and two Walnut units remained with the pursuit. Deputy Mah said he remained as the second Sheriff's unit involved in the pursuit.

Deputy Mah said the suspects exited the 10 freeway at Barranca Avenue and drove north into the city of Covina. The suspects drove west on a residential street, then turned south on another street where they drove for a short distance. He said the suspects ultimately turned west into an alley located behind an apartment unit. However, at one point in the alley, the Honda suddenly stopped. He said two suspects dressed in black clothing fled from the white Honda and ran south across the alley. Deputy Mah said the Aero unit immediately began to set up a containment, while the two California High Patrol Officers chased the suspects on foot. He said Deputy Winter who was positioned directly in front of his vehicle during the pursuit, followed the officers and suspects south in the alley.

Deputy Mah said he cleared the White Honda to ensure there were no additional suspects hiding inside. He said after clearing the vehicle, he ran south in the alley to a maroon full sized truck which the suspects had entered. Deputy Mah said he saw one of the CHP Officers and Deputy Winter struggling to gain control of the male suspect who was seated in the driver's seat, while a another CHP Officer was struggling to gain control of a female suspect in the passenger's seat.

Deputy Mah said the female suspect had her back to the officer and was repeatedly kicking at the officer as he attempted to pull her out of the truck cab. Deputy Mah said the officer deployed his Taser on the female suspect but she continued to struggle. He said he was shocked that the Taser did not have an effect on the suspect. Deputy Mah said he attempted to grab the female's legs, but she continued to kick at him and the officer. He said he told her to stop kicking but she refused to comply. He said he struck the female suspect several times on her legs with his flashlight in an effort to have her stop kicking but she continued to resist their efforts. Deputy Mah said he could hear yelling coming from the driver's side of the vehicle while he and one of the officers ([redacted]) was struggling with the female suspect.

Deputy Mah said the male suspect was able to start the truck and drive away before they could gain control of the female suspect. He said as soon as the truck started, the tires squealed and the truck raced east in the alley, where it struck the California Highway Patrol unit. He said the force of the impact knocked the unit to the north side of the alley. He said after striking the first unit, the suspect continued to accelerate east in the alley where it drove into Deputy Winter's parked Sheriff's unit. The force of the impact caused Deputy Winter's unit to collide into his unit, which was parked behind it. He said the suspect stayed on the gas after smashing into the

Sheriff's units. He said this caused the tires to spin, emitting a thick cloud of white smoke into the alley.

At this point, Deputy Mah said he repositioned himself near the rear passenger's side of the maroon truck. He said when the suspect was unable to move the Sheriff's units, he put the truck in reverse and rapidly accelerated in his direction. Deputy Mah and Officer who was standing near him, had to run out of the way in order to avoid being run over by the suspect vehicle. He said as the vehicle was backing towards them, they began yelling "Stop, let me see your hands, stop, let me see your hands." He said at this point all four of them started running for cover.

Deputy Mah said the vehicle then went forward again and proceeded to strike Deputy Winter's parked unit. He said the suspect pushed the unit into his parked unit and attempted to push both Sheriff's units out of the way. Deputy Mah said both units created too much weight so the suspect was unable to move both patrol cars and got stuck. He said the suspect began to backup again and began driving towards him. He said he was afraid he was going to get hit. Deputy Mah said the suspect continued to smash into the vehicles as if he were playing bumper cars.

Deputy Mah said he pointed his weapon at the vehicle and started yelling out "Stop I'm going to shoot, I'm going to shoot." He said he saw one of the officers ( ) come to the front side of the vehicle, so he started yelling out "Crossfire, crossfire, crossfire." He said he did not fire his weapon at that time because of the officer being in his line of fire. Deputy Mah said he then ran to a green Honda that was parked southeast of the suspect's location and took cover. He said he noticed an Officer ( ) positioned to his right (east) behind the green Honda. He said they started yelling out verbal commands to the suspect. He said they yelled out "Stop, let me see your hands, Stop, put your hands out." He said the suspect failed to comply to their verbal commands and continued to rev the maroon truck's engine.

Deputy Mah said the suspect proceeded to hit the gas and started driving towards him and Officer . He said the suspect slammed into the green Honda, causing the Honda to strike him on his right hip / leg area. Deputy Mah said he could see Officer fall backwards. Deputy Mah said he attempted to run away (south) to avoid being hit by the green Honda, but was struck by the Honda and knocked to the ground. Deputy Mah said at this point, he was on his left side and crawling with his left hand while he had his gun in his right hand. Deputy Mah said fearing for his life, he fired his weapon (13 rounds) into the open passenger side window with the intention of striking the driver. He said he fired his weapon until the vehicle had stopped. He said during the shooting, Aero provided lighting from his spotlight. He said there was also lighting coming from inside of the carports.

Deputy Mah said when the suspect's vehicle did stop, he was able to get back on his feet. He said he started ordering the driver, "Let me see your hands." He said the suspect started showing his hands and Deputy Mah thought the suspect was going to stop at that time. He said the suspect put his hands down again, and he (Mah) ordered the suspect to "Let me see your hands." Deputy Mah said he did a tactical reload at that point. He said his assisting unit, Deputy Guerrero, ran over to his position and Deputy Mah told him (Guerrero) to cover him while he approached the passenger's side of the maroon truck. He said he attempted to open the passenger door, so he could take the female suspect into custody. He said the door would not open due to the damaged it sustained during the incident. He said he pulled the female out through the open passenger's side window and took her into custody without further incident. He said other deputies took the driver into custody.

I.A.B. Note: Refer to Exhibit A, for Homicide Investigator's Supplementary Report Pages 79 thru 83 for additional information. Also see copies of transcribed interviews submitted with this case file.

SUSPECT'S STATEMENTS:

Suspect Sarah Morales, was interviewed by Homicide investigators Howard Cooper and Donna Cheek on May 13, 2008, at the Walnut Sheriff's Station. She was also interviewed on May 14, 2008, at the Century Regional Detention Facility. This is a brief summary of both interviews.

During the first interview, Suspect Morales said she had been dating Suspect Rose for the past four years. She told investigators that she was in the white Honda with Suspect Rose and admitted being in the alley. She told investigators that Suspect Rose told her to run from the white Honda while it was in the alley. She said he (Rose) told her to get into the truck. She initially denied fighting with the officers and deputies only saying that she held on as the they tried to pull her out of the truck by her legs.

During the second interview, Suspect Morales told investigators that on the day of the incident, she met up with Suspect Rose. She said he was driving a maroon truck which he had stolen from a "Wal Mart" parking lot in the city of Baldwin Park. She said she got into the truck and they drove to the city of Covina. Suspect Morales said they parked the maroon truck in a small parking lot behind some apartments (location of incident). She said Suspect Rose went to steal another truck nearby. She said within minutes he returned with a dark colored truck. She said they then drove to the city of Pomona.

She told investigators that she went with Suspect Rose in order to steal more cars. She said they drove to the city of Walnut where suspect Rose stole a white Honda.

She told them while they were driving, a police car spotted them and proceeded to follow them. Suspect Morales said that a police helicopter proceeded to follow them as they attempted to enter the freeway. She said Suspect Rose struck the median as they entered the freeway and both tires on the passenger's side were damaged.

She said they were pursued to the city of Covina and arrived in the alley where Suspect Rose had previously parked the maroon truck. She said they ran to the Maroon truck and she entered the passenger side while Suspect Rose entered the driver's side. She said she struggled to stay in the truck as the officers grabbed her legs and tried to pull her out of the truck. She told investigators that she fought as hard as she could to stay in the truck as she clung to Suspect Rose and the front seat with her hands.

Suspect Morales said she watched Suspect Rose try to fight the effects of the Taser which had been deployed by the officers trying to get him out of the truck on the driver's side. She said Suspect Rose was able to start the truck and drove out of the parking lot into the alley. She said Suspect Rose was very angry that the police officers grabbed her and stated, "Don't touch my girlfriend." As he sped down the alley.

Suspect Morales said Suspect Rose initially struck the rear corner of a police car which was partially blocking them in the alley. After striking this initial car, Suspect Rose drove straight into another police car which was parked in the middle of the alley. She said Suspect Rose then placed the truck in reverse and backed directly into the police car he initially struck. She said after this occurred, she looked at Suspect Rose and realized that he had been shot. She said moments later they raised their hands and surrendered to the officers.

I.A.B. Note: Refer to Exhibit A, pages 87, 88, and 93 thru 95 of the Homicide Book, for Homicide Investigator's Supplementary Report.

INVOLVED DEPUTY WITNESSES:

Deputy Lonnie Deck, Employee #[redacted], was interviewed on May 13, 2008, by Homicide Investigators Cooper and Cheek.

I.A.B. Note: Refer to Exhibit A, Pages 88 thru 90 of the Homicide book for his interview regarding the incident.

Deputy James Wolfhope, Employee #[redacted] was interviewed on May 13, 2008, by Homicide Investigators Cooper and Cheek.

I.A.B. Note: Refer to Exhibit A, Page 91 of the Homicide Book for his interview regarding the incident.

Sergeant Eric Lindblom, Employee #[redacted], was interviewed on May 13, 2008, by Homicide Investigators Cooper and Cheek. Sergeant Lindblom said he was leaving a burglary call in the Temple Station patrol area when he was advised of a vehicle pursuit in the City of Walnut. He said he began monitoring the pursuit in case a K-9 unit was needed at the pursuit termination.

He told investigators as the pursuit neared Barranca Avenue and the 10 freeway, he caught up with pursuing units. He said he remained behind the pursuing units and positioned himself to the south of Puente Street after the suspect entered an east/west alley. He said at this point, the Aero unit advised officers and deputies were struggling with the suspects. He said moments later Aero advised that the suspects were mobile in a maroon truck. Sergeant Lindblom said he heard the engine racing and watched the truck speed east in the alley where it smashed directly into the front of a parked Sheriff's unit.

He said when this occurred, he began running north in a field on the south side of the alley toward the suspect vehicle. He said as he was running, he tripped on a metal pole which was hidden in the field. He said as he got to his feet, he heard the engine racing and watched as the truck backed up at a high rate of speed. He said he lost sight of the truck in the alley but heard the sound of crashing. He said it was at this point when Aero advised that the suspects had just collided into the back of the California Highway Patrol unit. Sergeant Lindblom told investigators he was unable to see the impact into the unit because his view was blocked by a small garage on the south side of the alley, just west of his position.

He said moments later, he noticed two officers taking a position of cover behind a small green Honda which was parked on the south side of the alley, just north of his position in the field. He said within seconds, he saw the truck race in a southeasterly direction directly at the officers ([redacted] and Mah) and the Honda they were standing behind. Sergeant Lindblom said he heard in excess of ten rounds being fired moments before the truck collided into the parked Honda. He said after striking the car, the engine continued to race with the rear wheels spinning. He said this caused the entire alley to become engulfed in white smoke. The impact knocked the Honda from its original position to a position further south toward the field.

He said at this point, the driver raised his hands while seated in the truck cab. He said several deputies and officers on scene continued to give verbal commands to both suspects to keep their hands raised. Sergeant Lindblom said after he repositioned

himself behind the Honda, he saw the female seated in the passenger's seat with her hands raised. He told investigators as he approached the suspect in the driver's seat, he positioned himself near the driver's side front fender. From this position, he said he began giving the suspect verbal commands to keep his hands raised. He said the thick white smoke began drifting from the rear of the truck towards him.

He said the smoke engulfed the entire truck cab, preventing him from seeing either suspect. He said within seconds, the smoke dissipated and he grabbed the driver's hands. He said as he began to pull the suspect from the truck cab, he told the suspect, "It's over. I've got your hands." Sergeant Lindblom said the suspect did not reply. He said fearing that the truck was about to catch fire, he pulled the suspect six to seven feet away from the truck where he directed an assisting deputy to handcuff suspect Rose.

He said the female suspect was taken into custody by assisting deputies. He said he requested medical aid for Suspect Rose.

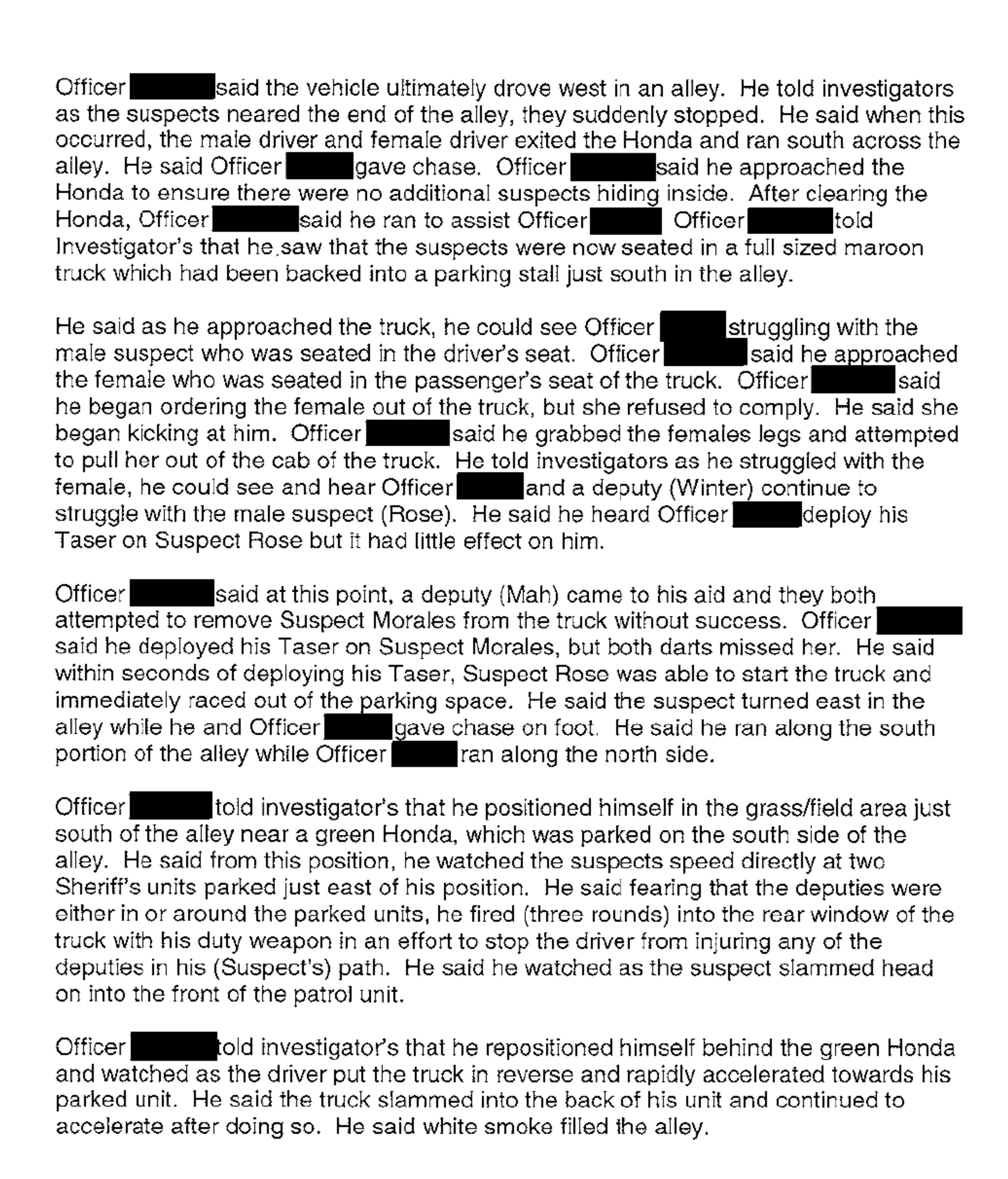
I.A.B. NOTE: Refer to Exhibit A, Pages 92 & 93 of the Homicide Book, for Homicide's Supplementary Report.

NON-DEPARTMENT WITNESSES:

Officer [redacted] was interviewed on May 13, 2008, by Homicide Investigator's Cooper and Cheek. He told investigators that he was assigned to unit [redacted] He said he was working with Officer [redacted] He said he was the driver and [redacted] was the passenger.

He told investigators while working patrol, they were notified by their dispatcher that there was a vehicle pursuit entering their area. The information they received was that a Los Angeles County Sheriff's Department unit was in pursuit of a stolen white Honda. They were told the Honda was driving west on the 10 freeway from the 57 freeway. They were told that the Sheriff's Department was requesting that they take over the pursuit.

Officer [redacted] told investigators that they positioned themselves behind the white Honda as it traveled west on the 10 freeway at the Holt Avenue off ramp. He said at this point, they became the primary unit in the pursuit. Officer [redacted] said he immediately noticed the rear passenger side tire was either shredded or completely gone. He said sparks and debris was being thrown in the air as the Honda maneuvered on the freeway. He said the suspects exited north on Barranca Avenue and continued into a residential area.



Officer said the vehicle ultimately drove west in an alley. He told investigators as the suspects neared the end of the alley, they suddenly stopped. He said when this occurred, the male driver and female driver exited the Honda and ran south across the alley. He said Officer gave chase. Officer said he approached the Honda to ensure there were no additional suspects hiding inside. After clearing the Honda, Officer said he ran to assist Officer Officer told Investigator's that he saw that the suspects were now seated in a full sized maroon truck which had been backed into a parking stall just south in the alley.

He said as he approached the truck, he could see Officer struggling with the male suspect who was seated in the driver's seat. Officer said he approached the female who was seated in the passenger's seat of the truck. Officer said he began ordering the female out of the truck, but she refused to comply. He said she began kicking at him. Officer said he grabbed the females legs and attempted to pull her out of the cab of the truck. He told investigators as he struggled with the female, he could see and hear Officer and a deputy (Winter) continue to struggle with the male suspect (Rose). He said he heard Officer deploy his Taser on Suspect Rose but it had little effect on him.

Officer said at this point, a deputy (Mah) came to his aid and they both attempted to remove Suspect Morales from the truck without success. Officer said he deployed his Taser on Suspect Morales, but both darts missed her. He said within seconds of deploying his Taser, Suspect Rose was able to start the truck and immediately raced out of the parking space. He said the suspect turned east in the alley while he and Officer gave chase on foot. He said he ran along the south portion of the alley while Officer ran along the north side.

Officer told investigator's that he positioned himself in the grass/field area just south of the alley near a green Honda, which was parked on the south side of the alley. He said from this position, he watched the suspects speed directly at two Sheriff's units parked just east of his position. He said fearing that the deputies were either in or around the parked units, he fired (three rounds) into the rear window of the truck with his duty weapon in an effort to stop the driver from injuring any of the deputies in his (Suspect's) path. He said he watched as the suspect slammed head on into the front of the patrol unit.

Officer told investigator's that he repositioned himself behind the green Honda and watched as the driver put the truck in reverse and rapidly accelerated towards his parked unit. He said the truck slammed into the back of his unit and continued to accelerate after doing so. He said white smoke filled the alley.

Officer [redacted] said at this point he and other officers proceeded to order the suspect to stop and to place their hands in the air. He said the suspects refused to comply and placed the truck into drive and began racing east in the alley. He said as the truck got between 20 to 30 feet away from him, it swerved directly at him. He said fearing that he was about to be run over, he fired a second volley of rounds (four rounds) at the driver. Officer [redacted] said at the same he heard additional rounds being fired from his left side. He said he was not sure if the officers were firing or if the rounds were coming from the suspect vehicle.

Officer [redacted] said he jumped out of the way in time to avoid being struck by the green Honda as it was struck by the suspect's truck. He said after the truck collided into the green Honda, the suspect continued to accelerate, moving the Honda further south and east. He said moments later, the engine stopped racing and Suspect Rose partially exited the truck and stated, "Okay, okay" in a mumble. He said Suspect Rose was taken into custody. He concluded by saying he assisted in taking Suspect Morales into custody.

I.A.B. NOTE: Refer to Exhibit A, Homicide Book, Pages 83 thru 85 for Homicide Investigator's Supplementary Report. Also see a copy of his transcribed interview submitted with this case file.

Officer [redacted] was interviewed by Homicide Investigator's Cooper and Cheek on May 13, 2008. He told investigators that he was working Unit [redacted] with his partner Officer [redacted] He told investigators that while on patrol they were notified by their dispatch that the Los Angeles Sheriff's Department was in pursuit of stolen White Honda west on the 10 freeway from the 57 freeway. They were told that the Sheriff's Department had requested that they take over the pursuit.

Officer [redacted] said they positioned their vehicle behind the white Honda as it traveled west on the 10 freeway at the Via Verde Avenue off ramp. He said at this point they became the primary unit in the pursuit.

Officer [redacted] said the suspects exited the freeway north on Barranca Avenue, running several red signals as they continued north. He said the suspects turned west on Badillo Street, then south on San Jose Avenue. He said after traveling a few blocks, the suspects turned west in an alley behind an apartment complex. He said at one point in the alley, the white Honda abruptly stopped. Officer [redacted] said he and [redacted] exited their patrol car as the male and female ran from the white Honda. Officer [redacted] said both suspects ran south across the alley to an awaiting truck which was backed into a parking space just south of the alley.

Officer told investigators he chased after the suspects and contacted the male suspect who was now seated in the driver's seat of the parked truck. He said he ordered the male suspect to exit the truck and place his hands in the air while holding him at gunpoint. He said the male refused to comply and placed his hands beneath the steering column and appeared to be trying to "hot wire" the truck. At this point, he said he was joined by a Sheriff's deputy (Winter). Officer told investigators he was afraid that the suspect was going to start the truck, so he drew his Taser.

He said at this point, he told the suspect to raise his hands and exit the truck or he would be Tased. He said the suspect refused to comply and continued to try and start the truck. Officer said he deployed his Taser. He said he thought that both darts struck the suspect. He said the Taser had little effect on the suspect. He said during the initial cycle, the suspect appeared to be fighting the effects. After the cycle stopped, the suspect returned his hands to the lower portion of the steering column while his foot stomped on the gas pedal. Officer told investigators that this series of events repeated three times, after which time the suspect was able to start the truck.

Officer said that he had to jump out of the way of the truck in order to avoid being run over. He said he watched as the suspects sped off, east in the alley. Officer said he ran toward the suspects in the alley, he saw the truck drive straight into a parked Sheriff's unit which was parked further east in the alley. He said the truck's tires continued to spin while the engine raced. He said this caused white smoke to fill the alley. He said at this point, Suspect Rose put the truck in reverse and backed directly into the rear of his parked patrol car.

Officer told investigators that after the suspect collided into his patrol car, he and other officers began ordering the suspects to stop. He said they refused to comply and Suspect Rose placed the truck into drive.

Officer said he saw (while positioned on the north side of the alley by a white Mini Van) the truck race east in the alley, they it turned south where a green Honda was parked along the south side of the alley. He said he noticed that some officers had taken a position of cover behind the green Honda. He said it appeared that the suspects were aiming for the officers with their vehicle. He said at this point, he heard gunfire and the sound of the suspect's truck crashing into the green Honda. He said a short time after crashing into the green Honda, the suspects gave up and raised their hands while seated in the truck. He said Suspect Rose was taken into custody by assisting units. He said he assisted in taking Suspect Morales into custody.

I.A.B. NOTE: Refer to Exhibit A, Homicide Book, Pages 85 thru 87 for Homicide Investigator's Supplementary Report. Also see a copy of Officer transcribed interview submitted with this case file.

I.A.B. NOTE: Walnut Station conducted a unit level investigation regarding the vehicle pursuit, Refer to IAB IV 2226164 for details.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Homicide Investigators Cooper and Cheek
Court: Pomona Superior Court
Charges Filed: (3) Felony Counts of 245 (c) P.C., (2) Counts of 10851 (a) V.C., Filed under court case #KA083185.
Court Case Status: Sentenced February 11, 2009, to Five Years State Prison

PROPERTY DAMAGE:

I.A.B. NOTE: Refer to Exhibit A, Pages 107 thru 110 of Homicide Book for a detailed list of property damage.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director

December 2, 2008

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

California Highway Patrol
14039 Francisquito Ave
Baldwin Park, California 91706

RE: J.S.I.D. File #: 08-0286
L.A.S.D. URN #: 008-04166-2999-013

Dear Captain David Smith and

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 13, 2008, fatal shooting of Glenn Patrick Rose by Los Angeles County Sheriff's Deputies Calvin Mah and Steven Winter and California Highway Patrol Officer We have determined that Deputies Mah and Winter, and Officer acted lawfully in self-defense and the defense of others.

The following analysis is based upon a series of reports prepared by the Los Angeles County Sheriff's Department (LASD) submitted to this office on September 15, 2008, and supplemental information received from the LASD on October 6, 2008. The District Attorney Command Center was notified of this shooting at 3:40 p.m. on May 13, 2008. The District Attorney Response Team, consisting of Deputy District Attorney Shannon Presby and District Attorney Senior Investigator responded to the scene. They were given a briefing of the circumstances surrounding the incident and a "walk-through" of the scene. No compelled statements were considered for purposes of this analysis.

FACTUAL ANALYSIS

On May 13, 2008, white 1991 Honda Accord was stolen. reported the theft of his vehicle approximately 10-15 minutes after it occurred to deputies from the Walnut Sheriff's station. Shortly thereafter Deputy Mojarro saw the stolen Honda and, along with other

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deputies, attempted to stop the vehicle. The driver of the stolen Honda, Glen Rose, refused to yield and a vehicle pursuit ensued. Rose's girlfriend, Sarah Morales, was a passenger inside the stolen Honda. The pursuit began on surface streets but Rose eventually drove onto the eastbound 60 freeway.

The pursuit continued on the eastbound 60 to the northbound 57 and on the westbound 10 freeways. As Rose traveled westbound on the 10 freeway a single California Highway Patrol (CHP) vehicle took up the number one pursuit position. Officer was the driver of the CHP vehicle and Officer was a passenger. Deputy Winter drove the number two pursuit vehicle and Deputy Mah drove the number three pursuit vehicle.

Eventually Rose exited the freeway at Barranca Avenue and drove along residential streets until he entered an alley running east and west between Puente and Dexter Streets in the City of Covina. At the time Rose entered the alley, Officer was still the first pursuit vehicle with the two single-man LASD vehicles following. As Rose neared the western terminus of the alley, He and Morales exited the Honda, ran south across the alley and entered a maroon pickup truck.[1] Rose entered the driver's side of the truck while Morales entered the passenger's side of the truck.

The pursuing police officers stopped their vehicles east of the pickup truck, exited their vehicles and began to approach Rose and Morales.[2] Deputy Mah and Officer approached the passenger's side of the truck while Deputy Winter and Officer advanced toward the driver's side of the truck. The deputies and officers began to issue commands to the occupants of the truck directing them to exit the truck. Both Rose and Morales refused to comply.

The officers tried to physically extract Rose and Morales to no avail. Morales kicked repeatedly at and Deputy Mah as they attempted to remove her from the truck cab. Eventually deployed his taser against Morales but at least one of the darts failed to make contact with Morales. On the other side of the truck, Officer and Deputy Winter were struggling with Rose. Officer deployed his taser against Rose, but Rose was able to resist the effects of the taser and start the truck's engine.

Once Rose got the truck started he immediately accelerated into the alley, collided with the CHP vehicle and pushed it out of his path. Officer pursued the truck on foot running along the south edge of the alley. Rose backed up slightly and then accelerated forward again, this time crashing into Winter's patrol car and pushing that vehicle backwards into Mah's police cruiser. Rose continued to depress the truck's accelerator causing the truck's tires to "burn rubber" filling the alley with smoke. Officer uncertain precisely where the other law enforcement officers were positioned but fearing that the sheriff's deputies were in danger from Rose's continued efforts to escape, fired his weapon into the back of the truck. This round did not strike either of the two occupants of the truck.

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[1] This maroon pickup truck was reported stolen by the registered owner the previous day (5-12-08).
[2] Both LASD deputies and both CHP officers were dressed in full uniform.

Throughout this incident the deputies and officers continued to shout commands at Rose directing him to stop trying to escape, and to turn off the truck's engine. He did not comply but put the truck into reverse and began backing rapidly towards the officers and deputies. As Rose was accelerating backwards the truck was weaving from side to side in the alley. Deputy Winter was positioned along the south margin of the alley in front of a small garage and the truck's backwards path was directly towards him. Unable to retreat out of the truck's path, and fearing that he was about to be run over by the truck, Deputy Winter fired two rounds at Rose from his service weapon. Immediately thereafter the truck collided with the CHP vehicle a second time (the rear of the truck impacting the rear of the CHP vehicle). Rose continued to accelerate after colliding with the CHP vehicle, again causing the alley to fill with smoke.

After a moment, Rose drove the truck forward swerving from side to side as he accelerated east though the alley. As Rose drove the truck forward through the alley, Officers [redacted] and Deputy Mah took cover behind a green Honda sedan that was parked along the south margin of the alley. Rose drove the truck directly them. Fearing that the impending impact would injure or kill him or Deputy Mah, Officer [redacted] fired a second time at Rose. The truck continued to accelerate forward and crashed into the Honda propelling it into Deputy Mah. The force of this impact knocked Deputy Mah to the ground. After colliding with the green Honda, Rose continued to accelerate the truck forward pushing the Honda in front of it. Mah began to crawl along the ground in an effort to avoid being crushed by the green Honda and struggled to get to his feet. At the same time he fired several rounds from his service weapon in an effort to stop Rose from using the truck to crush him with the Honda.

After a few moments, Rose finally ceased his efforts to escape and partially exited the driver's side of the truck. He and Morales were taken into custody. Rose suffered a single gunshot wound to his chest. Emergency medical personnel from the Los Angles County Fire Department were summoned and provided emergency medical assistance to Rose in the alley, however, he expired and was declared dead at the scene. A Los Angles County Coroner's toxicology report disclosed that Rose had both marijuana and methamphetamine in his system at the time of death.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Randle (2005) 35 Cal. 4th 987, 994; People v. Mercer (1962) 210 Cal.App.2d 153, 161.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM 3470.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

CONCLUSION

The evidence examined in this investigation shows that Deputies Mah and Winter and Officer [redacted] pursued Glen Rose as he fled in a stolen Honda Accord. That pursuit terminated in an alley in Baldwin Park when Rose and his female companion abandoned the Honda and entered a stolen truck. The deputies and officers ordered Rose to exit the vehicle but he refused. They attempted to use less-lethal means (taser) to gain compliance but those efforts were also ineffective. Rose drove the truck into the narrow alley violently colliding with a CHP vehicle and driving it out of his way in order to escape. He then drove the truck into Deputy Winter's vehicle, reversed and collided again with the CHP cruiser, drove forward again colliding with the parked green Honda causing that Honda to knock Deputy Mah to the ground. All of these actions occurred rapidly in a confined alley. All of the law enforcement personnel were on foot during this incident and Rose's persistent and aggressive use of the truck as a battering ram placed Deputies Mah and Winter as well as Officers [redacted] and [redacted] in grave danger. After repeated commands for Rose to cease his actions and after attempting to use less-lethal force to stop Rose's vehicular rampage, Deputies Mah and Winter as well as Officer [redacted] in fear for their lives and the lives of their fellow officers, fired their weapons to end the threat.

We find that Los Angeles County Sheriff's Deputies Calvin Mah and Steven Winter and California Highway Patrol Officer [redacted] acted lawfully in self-defense and the defense of others. We are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

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c: Deputy Calvin Mah, #[redacted]
Deputy Steven Winter, #[redacted]
Officer [redacted] #[redacted]